

REMARKS

[0002] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. The status of the claims is as follows:

- Claims 1-5, 7-9, 12-23, and 25-31 are currently pending.
- No claims are canceled herein.
- No claims are withdrawn herein.
- Claims 1, 25, and 28 are amended herein.
- No new claims are added herein.

[0003] Amendments to the claims are fully supported throughout the specification, but particularly in Fig. 3, and the associated text describing Fig. 3.

Request for Withdrawal of Finality

[0004] According to MPEP 706.07(a), any "second or any subsequent actions on the merits shall be final, except where the examiner introduces a new ground of rejection that is neither necessitated by applicant's amendment of the claims nor based on information submitted in an information disclosure statement...".

[0005] In the Action mailed 03/16/10, to which this communication is responsive, the Office has entered new grounds of rejection not based on amendment to the claims, and no IDS was filed. Therefore, Applicant submits Finality of the current rejection is premature, and respectfully requests the Examiner withdraw finality in accordance with MPEP 706.07(d).

Cited Documents

[0006] The following documents have been applied to reject one or more claims of the Application:

- **Sakai:** *Sakai*, U.S. Patent Application No. **2004/0056903**;
- **Ortega:** *Amro, et al.*, U.S. Patent No. **5,797,139**.

§ 103 Rejections

[0007] Claims 1-5, 7-9, 13-23, and 25-31 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Sakai and Amro. Applicant respectfully traverses the rejection.

Independent Claim 1

[0008] Without conceding the propriety of the rejection, Applicant amends independent claim 1 herein. Applicant submits the Office has not made a *prima facie* showing that independent claim 1 is obvious in view of the combination of Sakai and Amro, particularly as amended herein. Applicant submits the combination of Sakai and Amro does not teach or suggest at least the following features of this claim (emphasis added):

- and wherein the discretized states include a packed state that, when assigned, causes data items in a grouped category to be displayed **as one icon that represents the multiple data items in the grouped category** to which the packed state is assigned, when viewed from any folder which contains at least one of the data items in the grouped category

[0009] To reject this portion of the claim prior to amendment, the Office states the following (Action, pp. 4-5):

Sakai does not disclose a packed state that, when assigned, causes data items in a grouped category to be displayed under a singular icon category when viewed from any folder which contains at least one of the data items in the grouped, as disclosed in the claims. However, in the same field of invention, Amro **discloses a packed state that**, when assigned, causes data items in a grouped category to be displayed under a singular icon category when viewed from any folder which contains at least one of the data items in the grouped (column 2, lines 1-15). Therefore, considering the teachings of Sakai, it would have been obvious to one having ordinary skill in the art at the time of the invention to add a

packed state that, when assigned, causes data items in a grouped category to be displayed under a singular icon category when viewed from any folder which contains at least one of the data items in the grouped, as disclosed in Amro, to the teachings of Sakai. One would have been motivated to add a packed state that, when assigned, causes data items in a grouped category to be displayed under a singular icon category when viewed from any folder which contains at least one of the data items in the grouped, as disclosed in Amro, to the teachings of Sakai ***so that when a user views any folder containing files associated with a parent, the user can readily recognize files that are associated with a parent*** simply by viewing an icon. (Amro: column 1, lines 59-63, emphasis added)

[0010] As can be seen, the Office concedes that Sakai does not teach this portion of the claim, and relies upon Amro to cure the deficiency. Applicant submits Amro does not cure this deficiency.

[0011] Amro notes that a "conventional GUI assigns one icon type to all DLLs displayed in window 60. Therefore, the user cannot determine which DLLs, such as DLLs 62, 64 or 66, belong to application A (e.g., WordPerfect) or to some other application (e.g., Lotus 1, 2, 3)" (Col 1, ll. 49-54). Amro acknowledges that this problem is not distinct to DLL files, but is common to other files such as EXE and BMP files (Col. 1, ll. 20-33). To address this problem, Amro discusses a system to display files using a parent identifier (e.g., icon) representing the file's parent and a type identifier (e.g., border surrounding the icon) representing a file's type (e.g., executable, document, bitmap, etc).

[0012] Amro uses Fig. 3 and Fig. 4 to demonstrate this solution. Fig. 4 is reproduced below, for convenient reference:

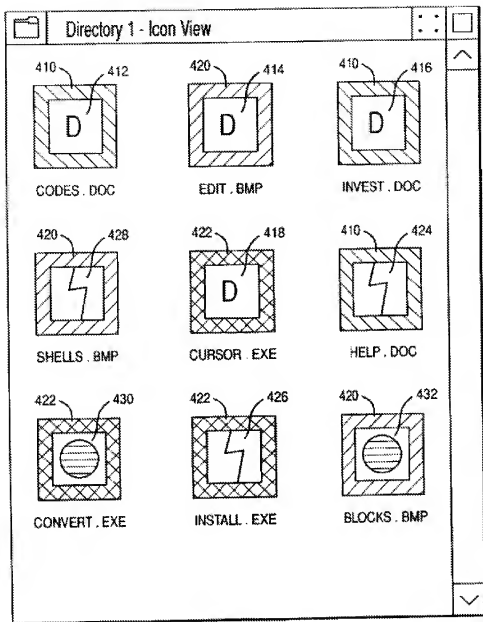


FIG. 4

[0013] By way of example, Amro explains that icon border 410 is common to ".doc" files, icon border 422 is common to ".exe" files, and icon portions 412, 414, 416, and 418 indicates these files are common to application "D" (Col 3, ll. 38-48).

[0014] One of ordinary skill in the art would understand Amro is not describing a packed state where "data items in a grouped category [are] displayed **as one icon that represents the multiple data items in the grouped category**" as claimed, rather Amro is merely describing that files common to a particular application are assigned a common identifier (i.e. icon), yet they each item is represented individually.

[0015] Claim 1 aids in understanding this distinction where it additionally recites an "unpacked state that, when assigned, causes each data item in the grouped category to be displayed... **as individual icons** when viewed in a contents display" (emphasis added).

[0016] Additionally, Fig. 3 of the instant application shows the difference between packed and unpacked states in the claim:

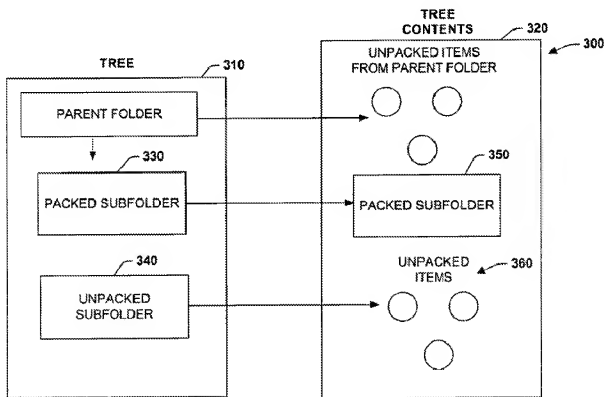


FIG. 3

[0017] As can be seen, all of the items belonging to the packed subfolder 330 are represented **as one** icon, icon 350, which in this figure is contrasted with the unpacked items 360 of unpacked subfolder 340.

[0018] Consequently, the combination of Sakai and Amro does not teach or suggest all of the elements and features of this claim. Accordingly, Applicant respectfully requests that the rejection of this claim be withdrawn.

Dependent Claims 2-3, 7-9, and 12-23

[0019] Claims 2-3, 7-9, and 12-23 ultimately depend from independent claim 1. As discussed above, claim 1 is allowable over the cited documents. Therefore, claims 2-3, 7-9, and 12-23 are also allowable over the cited document of record for at least their dependency from an allowable base claim. These claims may also be allowable for the additional features that each recites.

Independent Claim 25

[0020] Without conceding the propriety of the rejection, Applicant amends independent claim 25 herein. Applicant submits the Office has not made a *prima facie* showing that independent claim 25 is obvious in view of the combination of Sakai and Amro, particularly as amended herein. Applicant submits the combination of Sakai and Amro does not teach or suggest at least the following features of this claim (emphasis added):

- when the state is determined to be in a packed state, the displaying means causes the data items in the subset to be displayed **as one icon that represents all of the data items in the subset**, when viewed from any directory location which contains at least one of the data items in the subset

[0021] The Office asserts the following to reject this portion of this claim, prior to amendment (Action, pp. 11-12):

Sakai does not disclose a packed state such that the data items in the subset to be displayed under a singular icon when viewed from any

directory location which contains at least one of the data items in the subset, as disclosed in the claims. However, in the same field of invention, **Amro discloses a packed state** such that the data items in the subset to be displayed under a singular icon when viewed from any directory location which contains at least one of the data items in the subset (column 2, lines 1-15). Therefore, considering the teachings of Sakai, it would have been obvious to one having ordinary skill in the art at the time of the invention to add a packed state such that the data items in the subset to be displayed under a singular icon when viewed from any directory location which contains at least one of the data items in the subset, as disclosed in Amro, to the teachings of Sakai. One would have been motivated to add a packed state such that the data items in the subset to be displayed under a singular icon when viewed from any directory location which contains at least one of the data items in the subset, as disclosed in Amro, to the teachings of Sakai **so that when a user views any folder containing files associated with a parent**, the user can readily recognize files that are associated with a parent simply by viewing an icon (Amro: column 1, lines 59-63) (emphasis added)

[0022] Here, as for claim 1, Applicant submits that neither Sakai nor Amro teaches a packed state where "data items in the subset [are] displayed **as one icon that represents all of the data items in the subset**, when viewed from any directory location which contains at least one of the data items in the subset", for all of the reasons delineated above with regard to claim 1.

[0023] Additionally, Applicant notes that in Amro, the items being represented by icons are never disclosed as being packed, and especially not as being packed in contrast with being unpacked.

[0024] For all of the forgoing reasons, the combination of Sakai and Amro does not teach or suggest all of the elements and features of this claim. Accordingly, Applicant respectfully requests that the rejection of this claim be withdrawn.

Dependent Claims 26-27

[0025] Claims 26-27 ultimately depend from independent claim 25. As discussed above, claim 25 is allowable over the cited documents. Therefore, claims 26-27 are also allowable over the cited documents of record for at least their dependency from an allowable base claim. These claims may also be allowable for the additional features that each recites.

Independent Claim 28

[0026] Without conceding the propriety of the rejection, Applicant amends independent claim 28 herein. Applicant submits the Office has not made a *prima facie* showing that independent claim 28 is obvious in view of the combination of Sakai and Amro, particularly as amended herein. Applicant submits the combination of Sakai and Amro does not teach or suggest at least the following features of this claim (emphasis added):

- ***displaying a group of data items as one icon that represents the multiple data items in the group of data items***, in the display when the group is viewed from any folder within the hierarchical structure that contains at least one of the data items in the group of data items, when the group of data items is determined to be associated with the packed state

[0027] The Office asserts the following to reject this portion of this claim, prior to amendment (Action, pp. 13-14):

Sakai does not disclose displaying a group of data items under a singular icon in the display when the group is viewed from any folder within the hierarchical structure that contains at least one of the data items in the group of data items, when the group of data items is determined to be associated with the packed state, as disclosed in the claims. However, in the same field of invention, Amro discloses displaying a group of data items under a singular icon in the display when the group is viewed from any folder within the hierarchical structure that contains at least one of the

data items in the group of data items, when the group of data items is determined to be associated with the packed state (column 2, lines 1-15). Therefore, considering the teachings of Sakai, it would have been obvious to one having ordinary skill in the art at the time of the invention to add displaying a group of data items under a singular icon in the display when the group is viewed from any folder within the hierarchical structure that contains at least one of the data items in the group of data items, when the group of data items is determined to be associated with the packed state, as disclosed in Amro, to the teachings of Sakai. One would have been motivated to add displaying a group of data items under a singular icon in the display when the group is viewed from any folder within the hierarchical structure that contains at least one of the data items in the group of data items, when the group of data items is determined to be associated with the packed state, as disclosed in Amro, to the teachings of Sakai so that when a user views any folder containing files associated with a parent, the user can readily recognize files that are associated with a parent simply by viewing an icon (Amro: column 1, lines 59-63) (emphasis added)

[0028] In addition to the remarks made to traverse claims 1 and 25, Applicant submits that Amro does not teach or suggest the claimed "displaying a group of data items as one icon that represents the multiple data items...".

[0029] Amro does discuss displaying files that are associated with a common application with an icon that links the files to that application, but as can be seen in Fig. 3 and Fig. 4 of Amro, these files are not grouped, and not displayed "as one icon that represents the multiple data items" as is recited by the claim. Each file merely uses "a bitmap file for defining a unique icon of the representative application" (Col. 1, ll. 58-59) and each file is individually displayed with that associated icon in the display.

[0030] Again, Applicant notes that in Fig. 4, even though each file associated with application "D" has a common icon (or, in some cases merely just a common portion of the icon), they are each shown with individual icons, rather than "as one icon *that represents the multiple data items*" (emphasis added) as recited by the claim.

[0031] Consequently, the combination of Sakai and Amro does not teach or suggest all of the elements and features of this claim. Accordingly, Applicant respectfully requests that the rejection of this claim be withdrawn.

Dependent Claims 29-31

[0032] Claims 29-31 ultimately depend from independent claim 28. As discussed above, claim 28 is allowable over the cited documents. Therefore, claims 29-31 are also allowable over the cited document of record for at least their dependency from an allowable base claim. These claims may also be allowable for the additional features that each recites.

Conclusion

[0033] In light of the forgoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited. Should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, they are invited to telephone or e-mail the undersigned.

[0034] In addition, it is believed that all of the pending claims have been fully addressed. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed.

[0035] Finally, nothing in this communication should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this communication, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Respectfully Submitted,

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